



remy green <remy@femmelaw.com>

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## Adam White

Gideon Oliver <Gideon@gideonlaw.com>

Thu, Mar 21, 2024 at 11:21 AM

To: "hmisra roman-law.org" <hmisra@roman-law.org>, "hroman roman-law.org" <hroman@roman-law.org>

Cc: remy green <remy@femmelaw.com>, Regina Yu <regina@femmelaw.com>, "Hiraoka JR., Joseph (LAW)" <jhiraoka@law.nyc.gov>

Hi Kris,

Thanks for your time on the phone yesterday. On that call following up on the e-mail I sent you on 3/19, I promised to let you know which of Defendant Klein's interrogatories and document demands that we have told you we intend to move to compel appropriate responses to fell into the category I described in my e-mail and on the phone with you, meaning, where Defendant Klein has interposed a boilerplate and improper objection based on a claim that the interrogatory or document request seeks information or documents that are not in your client's care, custody, or control, without saying whether Defendant Klein has or is withholding any responsive documents or information. They are: Doc. Requests 9, 10, 14, 16, 19, 20, 21, 22, 23, 29, 30, 56, 66, and 69. If Defendant Klein agrees no later than noon tomorrow, Friday, March 22, 2024, to revise all of those responses by this Monday, March 25, 2024, so that they comply with the Federal Rules of Civil Procedure and the dictates in *Fischer v. Forrest* by (1) withdrawing the improper objection entirely and (2) stating specifically if Defendant Klein is withholding any responsive information or documents based on any properly interposed objection, or, if not, that there are no responsive information or documents in his care, custody, or control, we will agree not to file a motion to compel and for sanctions related to those responses.

If you agree to withdraw the objections, and provide appropriate, revised responses, as stated above, that would leave Interrogatories 17, 18, 19, and 22, and Document Requests 12, 17, 40, 41, 57, 60, 61, 65, 68, and 71 for Plaintiff to move on. As we have met and conferred and are at an impasse with respect to the deficiencies in those responses, we intend to file that motion promptly.

Please feel free to give me a call if you would like to discuss.

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Best,

-Gideon

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**From:** Gideon Oliver <Gideon@GideonLaw.com>

**Date:** Tuesday, March 19, 2024 at 2:59 PM

**To:** hmisra [roman-law.org](mailto:hmisra@roman-law.org) <hmisra@roman-law.org>, hroman [roman-law.org](mailto:hroman@roman-law.org) <hroman@roman-law.org>

**Cc:** remy green <remy@femmelaw.com>, Regina Yu <regina@femmelaw.com>, Hiraoka JR., Joseph (LAW) <jhiraoka@law.nyc.gov>

**Subject:** Re: Adam White

Hi Kris,

Thanks for these. Unfortunately, many of the deficiencies we discussed remain, including, but not limited to, the following:

1. The supplemental responses contain prohibited general objections;
2. The supplemental responses still contain boilerplate objections;
3. The supplemental responses do not state what, if anything, Defendant Klein is withholding based on each objection (or any of them); and
4. The supplemental responses do not comply with the requirement that, "if the objection recognizes that some part of the request is appropriate the objection should state the scope that is not" objectionable and actually produce responsive information and documents related to the unobjectionable part.

[Quoted text hidden]